

Menu Item for *Participating in Air Quality Management*

TRIBAL AIR WORK PLAN OBJECTIVE: To participate in the management of air quality on reservations through inherent tribal authority and applications for Eligibility Determinations for treatment in the same manner as a state (TAS) under the Clean Air Act.

Background: Participating in *Air Quality Management* related activities normally follows after a Tribe has assessed the nature and seriousness of air pollution and its impact on their reservation communities. Air quality management may take the form of responding to identified air pollution sources through the Tribe's development of appropriate legal status and CAA expertise to support implementation of regulatory or voluntary programs that will reduce air pollution on the reservation.

Funding Mechanism: This objective and supporting activities may qualify for EPA financial support through the grant authority of either the Indian General Assistance Program (IGAP) or Clean Air Act §103 programs. Once the activities involve actual implementation work, they are likely to only be fundable under a Clean Air Act §105 grant or a Direct Implementation Cooperative Agreement (DITCA). Contact your nearest Regional EPA Tribal or Program Office for further information.

ACTIVITIES / TASKS: The following *tasks* or *activities* are options for a grant applicant to consider in developing a work plan that includes developing the capacity to participate in air quality management. Adapting these needs to respond to those of a specific reservation or tribal community is encouraged. EPA Regional Offices are available to provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. A *timeline* is then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

- Participate in public notice and comment process for Title V permits.
- Request redesignation of reservation to Class I status.
- Participate in training for Title V permit review (e.g., citizen training, Institute for Tribal Environmental Professionals).
- Preparation of TAS application following TAR guidance with or without desired TAS applications.*
 - TAS for Section 105 grant authority.
 - TAS for “affected state” status under Title V. “
 - TAS for Section 123 (Interstate Pollution Abatement).
 - Other CAA non-regulatory programs.

* Gives tribal programs federal authority and backing, however tribes have the inherent authority to develop regulations in an Air Quality Management Program without federal authority and backing, if they choose.

Menu Item *continued* for

Participation in Air Quality Management

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as “deliverables”) are characterized as either *outputs* or *outcomes*. Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*

Possible Outputs: [These are examples of *outputs* for this objective; there may be others]

- Comment letters on Title V permits.
- TAR/TAS application submitted to EPA.
- Demonstrated reduction in pollution.
- Request for Class I redesignation submitted to EPA.
- Running or participating in voluntary programs for air quality management, e.g. smoke management, backyard burning outreach program, etc..

Possible Outcomes: [These are examples of *outcomes* for this objective; there may be others]

Expressed as a result of an individual Tribal grant:

- The Tribe becomes eligible for, or receives, treatment-as-a state status, or delegated authority for, managing or implementing [specific aspects] of its CAA programs under the TAR.

Expressed as a measure of overall Tribal program performance (over a stated baseline or cumulative total):

- Increase in number of Tribes who have commented on Title V and NSR permits.
- Increase in number of Tribes who have been determined eligible for treatment in the same manner as a state pursuant to Tribal Authority Rule (TAR) to run an ongoing air quality management program or for implementation of some section of the Clean Air Act.
- Increase in number of Tribes who have been determined eligible for delegation of some CAA Section under the TAR.

FY 2006 NATIONAL EPA PERFORMANCE MEASURE(S):

One or more of the following may be used to measure EPA’s progress in this area during fiscal year 2006.

- Number of tribes submitting eligibility determinations to EPA to implement CAA programs under the TAR/TAS.
- Number of tribes with active participation in regulatory air quality management, including submitting a Tribal Implementation Plan (TIP) to EPA for approval, substantial assistance with the implementation of a Federal Implementation Plan, or direct implementation of their own tribal air quality regulations to reduce the level or impact of air pollution..